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IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12121 of 2005

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Nityanand Mishra son of Late Deonandan Mishra, resident of village Gangapur, P.S.Pandaul, District Madhubani, at present residing in Stadium Road,Ward No. 16, District Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Commissioner, Darbhanga Division, Darbhanga
3. The District Magistrate-cum-Collector, Madhubani
4. The Deputy Collector (Establishment), Madhubani
5. Shri Prabhakar Thakur son of Shri Narayan Thakur R/O Village Bhauwara, Ward No 21, District Madhubani
6. Ram Ashish Das son of Late Vidyanand Lal Das R/O Bhauara, District-Madhubani
7. Smt Chandrakala Devi wife of Raj Kumar Singh R/O Village Sukki, P.O. Khajauli, District Madhubani
8. Phool Chand Oraon, Son of Angnu Oraon R/O Block Colony, Jainagr, District Madhubani
9. Mohan Safi son of Subey Lal Safi R/O Village Mahrail, Andhrathadi, District Madhubani
10. Shiv Nandan Ram son of Shri Baldeo Ram R/O Subdivisional Office at Jhanjharpur, District Madhubani
11. Nanda Paswan son of Swaroop Paswan R/O Bhawanipur, P.O. Bhatsimhar, Via Rajnagar, District Madhubani
12. Pulinder Safi son of Susai Safi R/O Village and PO Mahrail, Andhrathadhi, District Madhubani
13. Madan Paswan son of Ram Chander Paswan R/O Village Balbhadrapur, P.O. Jhanjharpur, District Madhubani
14. Umesh Paswan son of Mahanth Paswan R/O Village Fatepur, P.O. Basam, District Madhubani
15. Mahendra Paswan son of Surat Paswan R/O Village Dhanushi, P.O. Jagatpur, District Madhubani
16. Shiv Kumar Paswan son of Tanuk Paswan R/O Village and PO Kachhvi Via Tamuria, District Madhubani
17. Madan Safi son of Sahdeo Safi R/O Village and Po - Kotwali Chowk, Bhauara, District Madhubani
18. Krishna Dev Ram son of Uttim Mochi R/O Village and PO Bahauarwa Via Manigachi District Madhubani
19. Baney Lal Ram son of Baldeo Am R/O Village Sakularahi, PO Lohna Road, District Madhubani
20. Kusheshwar Safi son of Kari Safi R/O Villagelaxmipur, P.O. Datwar, District Madhubani
21. Sonfi Paswan son of Rameshwar Paswan R/O Village and PO-Deep Dihtol, District-Madhubani
22. Shobhit Paswan son of Late Saini Paswan R/O Village Thanga, Padkari Tole, District Madhubani
23. Ramendra Mishra son of Tarakant Mishra R/O Village Ramnipatti, Babubarhi, District Madhubani
24. Lakhan Lal Thakur son of Bhola Thakur R/O Village and PO Barsan, Andrathadhi, District Madhubani

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25. Shaukat Ali son of Late Ahmad Ali R/O Kotwali Chowk, District Madhubani
26. Navin Shankar Prabhakar son of Umesh Chandra Das R/O Village Jhanjharpur, District Madhubani
27. Kapil Deo Singh son of not known to the Review Petitioner R/O Village Andpo Daiyakharwaiyar, District Madhubani
28. Braj Mohan Singh son of not known to the Review Petitioner R/O Village Andpo Daiyakharwaiyar, District Madhubani
29. Bishwanath Jha son of Mahadev Jha R/O Village and PO-Bathani, District Madhubani
30. Anup Kumar Sinha son of Late Shiv Kumar Sahay R/O Hospital Road, District-Madhuabni
31. Gyani Das son of Fuleshwar Das R/O Village Maniyarwa, Khajauli, District Madhubani
32. Tej Narayan Sharm son of Digambar Sharma R/O Village and PO Jhanjharpur Bazar, District Madhubani
33. Ganga Ram son of not Known to the Review Petitioner R/O Village Basuki Bihari, District Madhubani
34. Ram Chander Paswan son of not known to the Review Petitioner R/O Village Dariya, District Madhubani
35. Jiwach Paswan son of Mishri Paswan R/O Village Khajauli, District Madhubani
36. Ram Gulam Paswan son of not known to the Review Petitioner R/O Village Dhenga, Via Kaulahi, District Madhubani
37. Hira Lal Safi son of Kari Safi R/O Village Rahikpur, Misraulia, District Madhubani
38. Mahavir Safi son of Kari Safi R/O Village Murhadi, Babubarhi, District Madhubani
39. Dilip Kumar Singh son of Ram Raghubir Singh R/O Village Dhanushi, District Madhubani
40. Indra Narayan Thakur son of Tej Narayan Thakur R/O Jagab Kachhvi, District Madhubani
41. Shambhu Thakur son of Bhagwat Thakur, R/O Village and PO Baruar, Bhairavasthan, District Madhubani
42. Raju Ram Bari son of Shibu Ram Bari R/O Village Bhauara, District Madhubani
43. Kishundeo Safi son of Baijhal Safi R/O Village-Eema, District Madhubani
44. Laxmi Paswan son of Basueo Paswan R/O Village Barh Samaila, Tola Garaiya, Lalganj, District Madhubani
45. Ram Bilas Paswan son of Dodhai Paswan R/O Village Kakraul, Rahika, District Madhubani
46. Parmeshwar Ram son of Late Punait Ram R/O Village Ekdara, District Madhubani
47. Parshuram Paswan son of Jhandi Paswan R/O Village Ganguli, District Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL ORDER

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6 13-01-2015 The present writ petition i.e. CWJC No.12121 of 2005 as also CWJC No. 16107 of 2004 have been listed together under the heading for admission.

Mr. Mrigank Mauli, learned counsel appearing on behalf of the petitioners in CWJC No. 16107 of 2004 submits that, in fact, both the writ petitions i.e. CWJC No. 16107 of 2004 and CWJC No. 12121 of 2005 were disposed of by a common order dated 06.11.2007 passed by a Bench of this Court (Coram: Navin Sinha,J. as he then was). According to him, subsequently, the petitioners of CWJC No. 16107 of 2004 filed Civil Review No. 463 of 2013 for recalling the order dated 06.11.2007 passed in CWJC No. 16107 of 2004 only. The aforesaid Civil Review No. 463 of 2013 was finally allowed by order dated 19.02.2014 passed analogously in MJC No. 600 of 2008, and MJC No. 2652 of 2008 as also Civil Review No. 463 of 2013, and accordingly, CWJC No. 16107 of 2004 was restored to its original file for fresh consideration on merit. He further points out that so far as CWJC No. 12121 of 2005 is concerned, neither any petition for recall/review of the order dated 06.11.2007 was filed nor any order has been passed for restoration of CWJC No. 12121 of 2005. In fact, according to him, the present case i.e. CWJC No. 12121 of 2005 stood finally disposed of by order dated 06.11.2007.

Despite repeated calls, none appears on behalf of the writ petitioner in support of the present case.

In the aforesaid facts and circumstances, it is apparent that the present writ petition has wrongly been listed before this Bench for fresh consideration on merits though it has already been

disposed of by order dated 06.11.2007. Hence, let this matter be de-listed from the cause list and in future this matter shall not be listed for fresh consideration before any Bench as it has already been disposed of by order dated 06.11.2007.

Office shall be careful in future.

(Birendra Prasad Verma, J)

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